

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA,
NORTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:06-cv-392-WKW
)	
THE STATE OF ALABAMA and)	
NANCY L. WORLEY, Secretary of State,)	
in her official capacity,)	
)	
Defendants.)	

**SPECIAL MASTER'S THIRD
(NOVEMBER 2006) INTERIM REPORT**

Comes now Governor Bob Riley, Governor of the State of Alabama, as Court-appointed Special Master, and files his third monthly interim report detailing the activity and progress made toward implementation of Alabama's single, uniform, official, centralized, interactive computerized statewide voter registration list.

**I. ACTIVITIES OF THE SPECIAL MASTER AND
THE SPECIAL MASTER'S IMPLEMENTATION COMMITTEE**

Activities since the date of the Special Master's second report are as follows:

A. The Special Master's Implementation Committee, through telephone and e-mail communication, coordinated the schedule and agenda for the Public Hearing on October 17, 2006.

B. The Special Master's Implementation Committee and the Special Master's attorneys, Ken Wallis and Scott Rouse, met in the Governor's Legal Office at 9:00 a.m. on Tuesday, October 17, 2006, immediately prior to the scheduled Public Hearing at 10:00 a.m. in the Old House Chamber of the Alabama State Capitol.

C. The Implementation Committee Chairman, Sid McDonald; the Special Master's Implementation Committee; and the Special Master's two attorneys attended the Public Hearing at 10:00 a.m. on Tuesday, October 17, 2006. Governor Riley attended to offer thanks and encouragement to all participants. The attendance at the Public Hearing was excellent and included probate judges, circuit clerks, and county voting registrars. It also included news media, members of the general public, and vendor representatives. The Implementation Committee was very pleased with the turnout and with the quality of comments and suggestions, relating to the proposed Request for Proposal (RFP) and implementation process, that were made by the various participants. The meeting lasted approximately one hour and everyone who wished to speak was afforded the opportunity. In addition, the Committee requested that any of the participants who wished to file supplemental written reports or comments were free to do so. The Public Hearing was transcribed by a court reporter. A copy of the transcript is attached hereto as Exhibit A to the Special Master's Third Interim Report.

D. The Implementation Committee and the Special Master's attorneys then held a working lunch meeting. This meeting included a significant agenda of approximately 20 topics, all of which were covered during the meeting. The Committee agreed that it would notify prospective vendors by the issuance of a formal notice that an RFP would be issued in the immediate future, which notice gave a general outline of

the items which the Implementation Committee believes will or may be covered by the RFP, when issued. This notice was given both to allow vendors to begin their preparations for response to the formal RFP and also to give vendors the opportunity to ask questions or give comments prior to the issuance of the formal RFP. Notification was posted on the Governor's web site, along with all other HAVA/Voter Registration System information. A copy of the Notice of Intent to Release Request for Proposal is attached hereto as Exhibit B to the Special Master's Third Interim Report.

E. The Special Master's attorney was advised by the Secretary of State, on Monday, November 6, 2006, that she would make available to the Special Master or his designee the computer formerly used by her prior attorney in order that an effort could be made to retrieve any HAVA/Voter Registration System information or documents that might be helpful or useful to the Special Master in his implementation efforts. No date or time has been set for this activity to take place. The Special Master's attorney wanted to clear this with the Secretary of State's new legal counsel prior to proceeding further with an inspection of the computer.

F. The Special Master and the Special Master's Implementation Committee expect to have one more formal meeting before the issuance of the RFP. The Special Master and the Special Master's Implementation Committee expect that the RFP will be issued on or about November 17, 2006.

G. The Special Master, to date, has expended no funds from the Special Master's HAVA account. The Special Master has obligated less than \$90 for directional signage for the Public Hearing and less than \$500 for the court reporter's charges for the transcription of the Public Hearing.

H. The Special Master believes that he and his Implementation Committee are "on course" and "on schedule," in accordance with their pre-determined operational schedule. Thus, the Special Master believes that implementation is on schedule and can reasonably be expected to be accomplished within the time frames previously set by the Court.

Done this 7th day of November 2006.

Respectfully submitted,



/s/ **Kenneth D. Wallis, II**
Kenneth D. Wallis, II
Chief Legal Advisor
Office of the Governor

ADDRESS OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Algert S. Agricola, Jr.

Terry G. Davis

James Harold Anderson

Frank Corley Ellis, Jr.

Misty S. Fairbanks

Robert D. Popper

Margaret L. Fleming

Michael W. Robinson

Shannon Lynn Holliday

Winfield J. Sinclair

Christy A. McCormick

Edward Still

R. Randolph Neeley

Gary R. Trawick

Donald Palmer

Dorman Walker

And I hereby certify that I have mailed by United States Postal Service the foregoing document to the following non-CM/ECF participants:

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/s/ Kenneth D. Wallis, II
Kenneth D. Wallis, II
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